

**Office of Professional Regulation
National Life Building North Fl 2, Montpelier, VT**

**Real Estate Commission
Minutes**

April 26, 2012 – 9:30 a.m.

Location: National Life Building North Fl 2, Montpelier, VT Conference Room A

Commission Members and Staff Present: Maretta Hostetler, Gloria Rice, Claire Porter, David Raphael, Thomas Prindiville, Terry Gray, Judith Griffen, Colin Benjamin **Absent:** Michelle Gosselin, Mark Thibeault

Public members Present: Liz Merrill, Liam McCarthy, John Nelson, Rebecca Woodard, Caroline Franzoni, Teresa Merelman, Randy Mayhew, Andrew Werry and Robert Provost.

1. **8:30 - Education Committee**
2. **9:30 - Full Commission meeting - Called to Order at 9:33**
3. **9:35 - Approved March 22, 2012 minutes** with correction to Number 5 (statue to statute)
4. **9:40 - Chair's Comments:** Maretta Hostetler commented that the mandatory course will be discussed after the meeting and hopefully finalized and brought back to the next meeting for final approval by the Commission.
5. **9: 45 – Case Manager Report - Carla Preston** There are 61 pending cases at this time: 9 are waiting for I-team meetings, 14 have been recommended for closing, 30 are under investigation , 8 have been charged and/or are waiting for scheduled hearings. Carla explained to the Commission why there was such a big drop in the number of cases from the last time to this time. They were the cases opened from the last renewal where the broker or office license was active but the other was not. These have all been screened out due to circumstances of the first online renewal. There was much confusion on renewal notices which played a role in these matters.
6. **9:50 - Concluded Reports**
 - a. 2011-388 – approved
 - b. 2011-651, 2011-652 and 2011-653 – approved
 - c. 2011-654 and 2011-655 – approved with language added to give a strong closing
 - d. 2011-687, 2011-688 and 2011-689 – approved
 - e. 2011-391 – approved
7. **10:15 - Discussion Items**
 - a. Gabe Gilman gave a report on the cases that he has inherited and has been cleaning up. There seem to be some issues related to the scope of practice, unlicensed practice and failure to disclose material facts. He explained to the Commission his procedures and why some cases have been dismissed. He cited that sometimes through the process, you learn information that changes the approach. This would include cases 2011-670, 2010-316 and 2011-669, which have all been dismissed.
 - b. Mandatory Course was mentioned in Maretta's opening statement and will be considered after the meeting.
8. **10:30 - Rules Committee Report**
 - a. Rules Update – David Raphael reported how well the committee did at the last meeting and how they hope to have the updated rules ready for public comment after the next couple of meetings.

9. **11: 00 - Scheduled Licensing/Disciplinary Matters**
 - a. M2011-30 (2009-327) Robert Provost – Stipulation and Modified Consent Order- Prosecuting attorney Gabe Gilman was present and presented the Stipulation and Modified Consent Order to the Commission. Mr. Provost was also present and gave some background. It was motioned, seconded and approved to accept the Stipulation and Modified Consent Order.
10. **11:45 – New Business** – Terry gave a report on the broker and office renewals. That included the total numbers for brokers and offices that renewed. She also notified the Board of where she was in the inspectors process. The office is waiting on information from the new inspectors for final approval of the contracts.
11. **12:00 - Public Comment**
12. **Next Scheduled Meeting – May 24, 2012**
13. **Adjourned at 11:59 a.m.**

REAL ESTATE RULES SUBCOMMITTEE
Will meet immediately following the full Commission Board Meeting

Real Estate Education Committee
Courses for review
April 26, 2012

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
Windsor County Board of Realtors						
1. Ethical Decision Making in Real Estate (Ethics)	4	No	Yes	4		Similar to Mrs. McGillicuddy's already approved course
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						

